

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/615,196  
Applicant: Brian E. Dalton  
Filed: July 7, 2003  
Title: SPINAL STABILIZATION IMPLANT AND METHOD OF APPLICATION  
T.C./A.U.: 3731  
Examiner: Daniel J. Davis

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

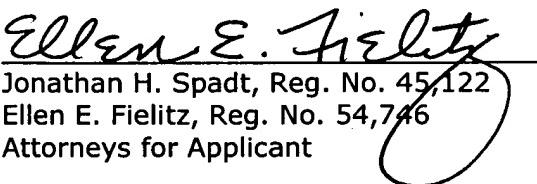
Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is not required to be enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination under 37 CFR 1.114.

Respectfully submitted,

  
Jonathan H. Spadt, Reg. No. 45,122  
Ellen E. Fielitz, Reg. No. 54,746  
Attorneys for Applicant

JHS/EEF/krh

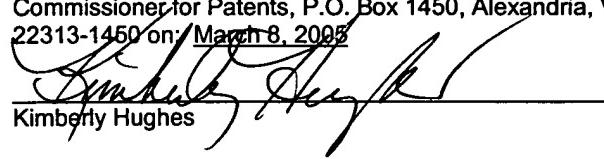
Enclosure: PTO Form 1449

Dated: March 8, 2005

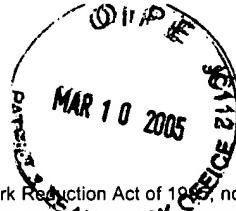
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Kimberly Hughes

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Substitute for Form 1449A/PTO

**Complete if Known**

Application Number	10/615,196
Filing Date	July 7, 2003
First Named Inventor	Brian E. Dalton
Art Unit	3731
Examiner Name	Daniel J. Davis

**SHEET 1 of 2**

Attorney Docket No. BBM-115US

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code <sup>2</sup> (If known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	4	US-4,463,753	08-07-1984	Gustilo	
	5	US-4,484,570	11-27-1984	Sutter et al.	
	6	US-5,147,363	09-15-1992	Härle	
	7	US-5,520,690	05-28-1996	Errico et al.	
	8	US-5,531,746	07-02-1996	Errico et al.	
	9	US-5,607,426	03-04-1997	Ralph et al.	
	10	US-5,669,911	09-23-1997	Errico et al.	
	11	US-5,735,853	04-07-1998	Olerud	
	12	US-5,749,916	05-12-1998	Richelsoph	
	13	US-5,797,911	08-25-1998	Sherman et al.	
	14	US-5,863,293	01-26-1999	Richelsoph	
	15	US-5,876,402	03-02-1999	Errico et al.	
	16	US-5,879,350	03-09-1999	Sherman et al.	
	17	US-5,885,286	03-23-1999	Sherman et al.	
	18	US-5,954,635	09-21-1999	Foley et al.	
	19	US-5,954,722	09-21-1999	Bono	
	20	US-5,964,760	10-12-1999	Richelsoph	
	21	US-5,976,187	11-02-1999	Richelsoph	
	22	US-6,030,389	02-29-2000	Wagner et al.	
	23	US-6,033,406	03-07-2000	Mathews	
	24	US-6,053,917	04-25-2000	Sherman et al.	
	25	US-6,074,391	06-13-2000	Metz-Stavenhagen et al.	
	26	US-6,083,225	07-04-2000	Winslow et al.	
	27	US-6,096,038	08-01-2000	Michelson	
	28	US-6,132,432	10-17-2000	Richelsoph	
	29	US-6,146,386	11-14-2000	Blackman et al.	
	30	US-6,152,871	11-28-2000	Foley et al.	
	31	US-6,159,179	12-12-2000	Simonson	
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	33	US-6,171,311 B1	01-09-2001	Richelsoph	
	34	US-6,197,033 B1	03-06-2001	Haid, Jr. et al.	
	35	US-6,200,322 B1	03-13-2001	Branch et al.	
	36	US-6,206,822 B1	03-27-2001	Foley et al.	
	37	US-6,217,509 B1	04-17-2001	Foley et al.	
	38	US-6,235,033 B1	05-22-2001	Brace et al.	
	39	US-6,261,291 B1	07-17-2001	Talaber et al.	
	40	US-6,280,442 B1	08-28-2001	Barker et al.	
	41	US-6,280,445 B1	08-28-2001	Morrison et al.	
	42	US-6,287,311 B1	09-11-2001	Sherman et al.	
	43	US-6,562,046 B2	10-04-2001	Sasso	
	44	US-6,299,616 B1	10-09-2001	Beger	
	45	US-6,328,740 B1	12-11-2001	Richelsoph	
	46	US-6,328,741 B1	12-11-2001	Richelsoph	
	47	US-6,331,179 B1	12-18-2001	Freid et al.	
	48	US-RE37,665 E	04-16-2002	Ralph et al.	

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Substitute for Form 1449A/PTO

**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**SHEET 2 of 2**

Application Number	10/615,196
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	49	US-6,780,186 B2	04-18-2002	Errico et al.	
	50	US-6,402,752 B2	06-11-2002	Schäffler-Wachter et al.	
	51	US-6,712,819 B2	07-25-2002	Zucherman et al.	
	52	US-6,428,542 B1	08-06-2002	Michelson	
	53	US-6,451,021 B1	09-17-2002	Ralph et al.	
	54	US-6,514,260 B1	02-04-2003	Zdebllick et al.	
	55	US-6,520,907 B1	02-18-2003	Foley et al.	
	56	US-6,527,776 B1	03-04-2003	Michelson	
	57	US-6,533,786 B1	03-18-2003	Needham et al.	
	58	US-6,780,185 B2	04-24-2003	Frei et al.	
	59	US-6,565,565 B1	05-20-2003	Yuan et al.	
	60	US-6,575,899 B1	06-10-2003	Foley et al.	
	61	US-6,575,975 B2	06-10-2003	Brace et al.	
	62	US-6,599,290 B2	07-29-2003	Bailey et al.	
	63	US-6,602,255 B1	08-05-2003	Campbell et al.	
	64	US-6,623,485 B2	09-23-2003	Doubler et al.	
	65	US-6,695,846 B2	10-02-2003	Richelsoph et al.	
	66	US-6,663,616 B1	12-16-2003	Roth et al.	
	67	US-6,682,534 B2	01-27-2004	Patel et al.	
	68	US-6,695,772 B1	02-24-2004	Bon et al.	
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	70	US-2001/0034521 A1	10-25-2001	Bailey et al.	
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	73	US-2003/0149431 A1	08-07-2003	Varieur	
	74	US-2003/0208203 A1	11-06-2003	Lim et al.	
	75	US-2003/0216735 A1	11-20-2003	Altarac et al.	
	76	US-2004/0039384 A1	02-26-2004	Boehm, Jr. et al.	
	77	US-2004/0127897 A1	07-01-2004	Freid et al.	
	78	US-2004/0133207 A1	07-08-2004	Abdou	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

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